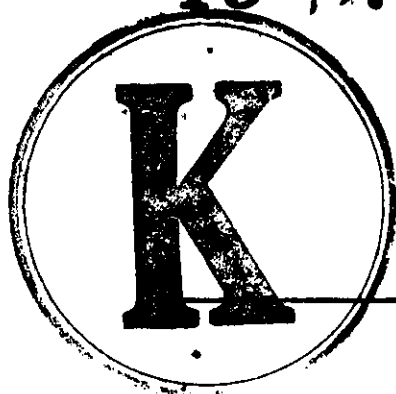


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1941.

File No. Civ. P.C. II/41



Legal DEPARTMENT
B. BRANCH

Subject:—

Rules and Notifications
under the Civil Procedure
Code

File No.

Civ P.C. II/41

Std. Sectt. Slip 24 B a.

160-B

NOTIFICATION

Home Department

Bombay castle,

1941.

*The Code of Civil
Procedure, 1908
(V of 1908)*

No. .- In exercise of the powers conferred by the proviso to section 29 of the Code of Civil Procedure, 1908 (V of 1908) and in supersession of Government Notification, Home Department, No. 2146/4-I dated the 30th May 1940, the Government of Bombay is pleased to declare that the provisions of the said section 29 shall apply to all the Civil Courts situate in the State of Johore (Malay), with effect from the 30th day of May 1940.

By order of the Governor of Bombay

Secretary to Government.

S.C.
21st april 1956.

Draft Notification at p.19 ante.-The draft notification as amended slightly is in order.

2. Government Notification, Home Department, No. 4529/2(J), dated 27th February 1938.- Clause (1) only of this notification is issued in pursuance of the proviso to section 29 of the Civil Procedure Code. The clause does not require any change. Clause (2) of the notification is issued under clause (b) of Rule 26 of Order V of the Code. This rule has not been amended by the Civil Procedure Code (Amendment) Act, 1940 to include service of processes also. The amendment proposal in the Home Department office note at p.18 ante. therefore, for insertion of the words "or processes" after the words "any summon" in this notification is not necessary.

3. Government Notification, Home Department, No. 2146/4-L, dated the 30th May 1940.- This notification provides that the provisions of section 29 of the Civil court situate in the State of Johore (Malay). In view of the amendment made in the proviso to section 29 of the Civil procedure Code by the Civil Procedure Code (Amendment) Act, 1940, substituting the words "such courts" for the words "courts of the Provinces" this notification is now not in order and a fresh notification will have to be issued under the proviso to section 29 as amended by the Civil procedure Code (Amendment) Act, 1940. The necessary draft notification is sent herewith.

For Remembrancer of Legal Affairs

U.R. to H.D., No. 1721 dated the 26th February 1941.

S.C.
21st April 1946.

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